

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

XL CAPITAL ASSURANCE INC.,

Plaintiff,

v.

INDYMAC BANK, F.S.B.,

Defendant.

)
)
) 08-CV-5842 (JGK) (AJP)
)
) ECF Case
)
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)
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NOTICE OF APPEARANCE

To the Clerk of the Court and all parties of record:

Please enter my appearance as counsel in this case for Plaintiff XL Capital Assurance Inc.

I certify that I am admitted to practice in this Court.

Dated: New York, New York
July 14, 2008

Respectfully submitted,

/s/ Scott H. Bernstein

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DECLARATION OF SERVICE

Raymond E. Galbraith, hereby declare, pursuant to 28 U.S.C. § 1746, that on July 14, 2008, I served a true and complete copy of the attached Notice of Appearance on counsel of record via the Court's ECF System.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: New York, New York
July 14, 2008

/s/ Raymond E. Galbraith
Raymond E. Galbraith